

**FSSAC Summit Meeting**  
August 17 & 18, 2005  
Red Lion Colonial – Judicial Room  
Helena, MT

**Members Present:** Diana Colgrove (chair), Kelly Johnson, Ted Maloney, Sandi Marisdotter, Sandy McGennis, Gerald Pease, Cindy Sinclair, Sylvia Danforth, Micah Mitchell, John Clymer, Patti Russ

**Others Present:** Erica Swanson (DDP Child & Family Liaison); Tim Plaska (DDP Bureau Chief); members of the Due Process/Mediation workgroup: Sue Holmstrom (CDC), Gary Garlock (STEP), Priscilla Halcro (QLC); Jackie Emerson (recorder- DDP Program Assistant)

Diana welcomed everyone and each person introduced themselves and told who they represent.

Changes were made to the agenda. The Bylaws will be discussed on the second day of the meeting.

The review of the minutes was postponed due to lack of a quorum.

**Membership:** The new members were added to the membership list: Paula Sherwood (QIS), Addie Haugen (Head Start), and Cindy Sinclair (Early Head Start). Their nomination letters have been sent to the Governor for approval and appointment but Erica has not heard back.

- A doctor from Billings has been contacted and Sandi Marisdotter has also contacted a doctor in Helena as possibilities to replace Dr. Guggenheim.
- The Governor may have an appointment for the position of Public Awareness representative but if anyone has other suggestions send them to Erica.
- Gary and Priscilla will look for an FSS from Regions 2 or 3 so one of those Regions will have a representative on the Council beside a parent
- Sylvia will look for a parent representative
- Children's Special Health was in the process of filling the vacant position

**State Application for Part C funds:** The letter of approval was received from OSEP for a conditional grant for 2006. States applied for a conditional approval until the changes to IDEA are implemented.

**Annual Performance Report (APR):** Erica has not received official notice from the APR review but Jackie Twining-Martin, Montana's Regional OSEP representative, said the report was great and easy to read. OSEP is still in the process of getting out letters to states in regard to their APR. The Regional representatives will have reviewed the report before the letter goes out.

**Early Childhood Partnership for Professional Development (ECPPD) Council:**

Priscilla and Linda Roundy met with Susan Bailey-Anderson to discuss groups not represented in current training available for professional development – Early Intervention and preschool – to support more training for early intervention. The purpose of the ECPPD Council is to provide systematic professional development.

The General Supervision Enhancement Grant (GSEG) will also deal with providing training for early intervention. The FSSAC used to have an active role in setting up training and, hopefully, the work through the GSEG will bring that back.

**Annual Data Conference:** Jackie attended the Annual OSEP Data Conference in Washington, DC on July 17-20. Proposed changes for the 2005-2006 618 Data (Child Count) include the addition of gender and percentage columns on the overall count table and the Exiting table. The Settings table has been changed to include only 3 choices of settings – Home, Community-Based, or Other Settings. OSEP will also eliminate the Personnel table and add a Dispute Resolution table. The Dispute Resolution table will be like the one included in the next APR.

**Summer Institute:** Ted attended the August 11-12 OSEP 2005 Early Childhood Outcomes - Child and Family Outcomes Indicators Summer Institute where the sessions covered identifying rigorous and measurable targets and indicators for the SPP and APR and sampling techniques.

**Inclusion Institute:** Sue Holmstrom from CDC attended a 4-state conference in North Carolina to review the status of the work the states are doing in the area of inclusion. The goal of the Montana team will be to work with the ECPPD Council.

The group developed a mission and vision statement while at the conference. The shared vision or desired outcome: “In Montana, we share a vision that celebrates diversity and provides the necessary resources to ensure high quality choices for all children and their families”. The Mission: “To assess Montana’s current strengths, gaps and barriers concerning inclusion on state and local service systems across agencies in order to recommend future action and take steps to move us closer to our vision.”

**Bylaw change regarding Council voting:** The discussion from the last meeting (in June) regarding a quorum and voting included the right of the Council to suspend the Bylaws. Since there is often not a quorum in order to conduct business, according to the letter from Cary Lund, attorney for DPHHS Legal Department, the Council may decide to use a majority of the members present at a meeting to pass a motion. The consensus of the quorum present at the last meeting was to do so. Sylvia made a motion to suspend the Bylaws of the Council until new Bylaws can put in place to reflect the change in the voting requirement. Sandy McGennis seconded the motion. All present voted in favor of the motion.

**Minutes review:** The June 9, 2005 minutes will reflect the change on page 4 that the information that follows will be removed from the heading '02-'03 Annual Performance Report (APR) and placed under State Application:

At the National Meeting in Washington DC in April, States were told that OSEP recommended doing a "conditional" report since there were so many changes to the new IDEA and there was not enough time to have the system in compliance and to have the report out for the required 60-day comment period.

Notices were put in the paper and copies of the report are available from the Regional Offices or from Central Office.

Kelly made a motion that the minutes be approved as amended. Sylvia seconded the motion. All present voted in favor.

**Parent Story:** Micah Mitchell shared her experiences of the birth and discovery of the vision problems of her daughter, Sierra. The family received services from the time Sierra was 5 weeks of age ~~of services~~ from Family Outreach, which helped Micah know how to deal with and work through the developmental delays that resulted from the lack of vision in one eye. Sierra aged out of Part C services but has progressed to the point of being on track with everything except some of her motion skills.

**SPP/APR:** OSEP has said they will be requiring rigorous, measurable targets for the State Performance Plan (SPP) and Annual Performance Plan (APR). A workgroup has been formed to involve Child and Family providers right away. They will be looking at current data available and what will be needed.

(handout) The Strategic Work Plan that was developed at the 2003 FSSAC Summit with the help of the NECTAC consultants was a great start but there was no follow-up to most of the work. The group will readdress the work plan and develop it into a continuous plan.

**DDP Update:**

Just as Part C is seeing an increase in the amount of accountability required, so is DDP. As Medicaid is seeing the rise in requests for the Federal funding, they are demanding an increase in the accountability for the use of those funds.

The good news is that the Legislature has allocated to DDP I-149 Cigarette Tax funds amounting to \$3.2million (this is the matched amount, General Fund and Medicaid) with a 5½ % budget increase overall. The children's programs were increased by \$260,000 and \$90,000 in new slots. A workgroup made up of providers and staff met to decide how to distribute the funds across the system. The intent of the allocation by the Legislature was to apply the funds to salaries in order to bring direct care workers' salaries up to the 35 percentile. The group's decision was to allocate funds to all providers using different amounts to each depending on the salaries they currently paid to direct care workers.

Published Rates Project: The pilot testing the published rates is taking place in Region 2 (Great Falls) for about 300 individuals in adult services.

DDP and Davis Deshaies will begin discussions with children's providers in September to start a pilot for kids in IFES services. The initial pilot will include a small number of children and the Region has not yet been chosen. The project will eventually incorporate about 300 children statewide. *For Part C and FES there will be no changes.* The MONA for children will be reviewed and revised. Families will have control over the cost plan and how funds are used.

Sylvia commended the program for getting out the Tobacco Tax funds in July. DDP has done an amazing job in the last few months. With increased accountability there has been an unfunded mandate to do more work to provide more information and it feels like there is less time to meet the needs of people.

Jeff will visit the Miles City area next week and meet with the boards of DEAP and EMI.

Focus group meetings have been set up next week in Choteau, Havre, and Great Falls to meet with families to discuss the changes resulting from the rates project.

Executive Planning Process (EPP) proposals: DDP will begin gathering information and start drafting the EPP proposals to submit to the Department for the next Legislative session. Jeff suggested inviting the new Legislative Fiscal Analyst (LFA) to the November meetings to educate and get support for the upcoming session. It would also be good to invite new Legislators and help educate them. It would be helpful if, by January or February, the Council would help put together numbers and logic for what kind of increases could be substantiated. DDP is already meeting with the Governor's office to discuss priorities and changes coming.

**SPP/APR (cont.):** For FSSAC members to be included in the workgroup they need to review the information available. The improvement tasks will include review of: the Work Plan to see what is still applicable, the FSS Certification process, the Due Process/Mediation & Complaint Resolution procedures, and the PLUK 1<sup>st</sup> Steps booklet. The workgroup's goal will be to have a consolidated plan including FSSAC, DDP, and Part C Providers to reflect the changes desired to improve the process.

Ted reviewed the draft of timelines to complete the Part C system changes. The first SPP will be due December 2 and the State Application needs to be written by February. The document showed the timelines with tasks needing to be done now and what can wait until later.

**Dispute Resolution:** The "disputes" across the system are mostly low level, informal grievances that are addressed in agencies and resolved without becoming formal complaints. OSEP considers complaints to be written and signed documents. OSEP needs to be assured that information on Due Process/Mediation is presented to all families in language that the family can understand. Part C Parent Rights and the 1<sup>st</sup> Step booklet

need to reflect that language. The NECTAC website contains documents from other states that are like 1<sup>st</sup> Steps. DDP can request technical assistance from NECTAC for help in specific areas like Due Process.

If FSSAC members are not interested in participating on the workgroup, information will be shared at the November meeting in order to receive feedback. The workgroup may also seek feedback through other sources such as the PLUK newsletter and website, provider agency newsletters, parents on agency Boards, or maybe a focus group session. It will be up to DDP to decide how to do this.

**Promoting meetings:** The Council discussed how to announce meetings. Some ideas were: the Helena IR, the PLUK website, agency newsletters, and the DPHHS website.

**Tentative agenda** for the next meeting:

- Parent Story
- Bylaw vote
- Membership/attendance issues
- Set meetings for the year
- DDP Update – IFES pilot
- Minutes reviewed & approved
- Draft of SPP to approve
- Invite New DPHHS Director Joan Miles and new LFA

**December Conference:** In the past a parent representative has been selected to attend the December Part C Conference in Washington DC.

Sylvia made a motion to request DDP to approve and pay for a parent representative from the FSSAC to attend the Conference in DC in December. Kelly seconded the motion. All voted in favor.

**Bylaws:** The Council Bylaws were reviewed and changes suggested and discussed. The document will be retyped and sent out for review by the Council members before the next meeting.

**FSS Comprehensive Certification:** The next FSS Certification is tentatively scheduled for November 15<sup>th</sup> and 16<sup>th</sup>.

**NEXT FSSAC MEETING:** November 17, 2005

#### **WORKGROUP NOTES:**

**Workgroup Activities:** Erica and Ted will draft the plan from the workgroup that will be sent out for review and kept electronically for updates.

They will start with the Task Areas identified:

- The Work Plan activities will be updated

- Review AERs (Annual Expenditure Report) – year end report on how funds were distributed to kids
- Contact the Medicaid Refinance Committee for the data they collected on Part C
- EPP – gather data available for proposals and for educating Legislators
- Training for state uniformity on eligibility and redetermination
- Data – systematize data collection over 5 years for the SPP and decide how to gather it electronically
- Dispute Resolution – look at the process for dealing with complaints and documenting informal complaints
- Due Process materials – Jackie Twining-Martin suggested waiting until the rules are out so that further changes would not be needed
- DDP Evaluation Tool – may need to be changed to adhere to the new IDEA and incorporate collection of specific data

Ted asked for preference dates for the next workgroup meeting so he might contact Kathy Hebbeler from the ECO Center to see if she might attend. The dates noted were October 12 & 13 and 24 -28<sup>th</sup>. The meeting will probably be 1½ days. Ted will notify the group of the set dates.